

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-20 are currently pending in the application and subject to examination. By the foregoing amendment, claims 1-2, 13-14, and 17-20 have been amended to be in better form. Clear support for these amendments can be found in the specification at, for example, page 17, line 20 to page 18, line 13. No new matter has been added.

In the outstanding Office Action dated August 27, 2007, claims 1-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 20040098329 to Tilton. ("Tilton") in view of U.S. Patent No. 7,003,490 to Keyes ("Keyes"). To the extent that the rejection is still applied to the currently pending claims, it is respectfully traversed.

Claim 1, as amended, recites a loan asset managing system, comprising a loan asset analyzing means that analyzes a first portfolio that is aggregate of loan asset information for which contract has been completed and that are not securitized, and outputs a first analysis result, a securities current value evaluating means that analyzes a second portfolio that is aggregate based on current value information of securitized loan assets and second loan asset information that are basis of the securitized loan asset, and outputs a second analysis result, a difference extracting means that compares said first analysis result outputted by said loan asset analyzing means and said second analysis result outputted by said securities current value evaluating means and extracts a difference between said second portfolio and said first portfolio, and an examination condition changing means that changes examination conditions for

examining users when money or product is lent to the users, based on the difference extracted by said difference extracting means.

Independent Claims 13, 17, and 19, as amended, includes similar features of amended Claim 1, as described above.

The Examiner alleged that Tilton teaches a loan asset analyzing means that analyzes a first portfolio in first loan assets and a securities current value evaluating means that analyzes a second portfolio in second loan assets of Claim 1 (see Tilton, paragraphs [0012]-[0014], [0057], and [0103],) but admitted that this reference fails to explicitly teach a different extraction means, and the examination condition changing means of Claim 1. The Examiner, however, alleged that Keyes teaches such different extraction means and examination condition changing means. (See Keyes, col. 8, lines 1-47.)

Applicants respectfully submit that neither Tilton nor Keyes teaches or suggests at least the combination of the features recited in amended Claims 1, 13, 17, and 19.

Tilton describes a platform and a securitization methodology that provides lenders with an opportunity to maximize the returns on their distressed commercial credit facility and overcomes the obstacles that have historically precluded the securitization of distressed commercial loans. In doing so, the methodology of Tilton takes a specified mix of distinct classifications of distressed credit facilities with specified characteristics in conjunction with use of structural specifications for an SPE (special purpose entity), such as specific reserves and safeguards, to create a synthetic asset class that emulates the cash flow and recovery characteristics of an SPE containing a portfolio of performing credit facilities. (See paragraph [0015].) According

to paragraph [0057] of Tilton, the system performs at least the following: conducting on-site due diligence to each credit facility in a lender's distressed credit facility portfolio, developing a capital structure for the SPE based on information discovered during the due diligence and data-base creation process, developing a workout strategy and analyzing the performance of each asset in the SPE's portfolio.

As admitted by the Examiner, Tilton fails to teach or suggest a difference extracting means and an examination condition changing means, as recited in Claim 1 or similar steps as recited in Claim 13. In addition, Tilton discloses a different methodology, in terms of analyzing the portfolio of distressed credit facilities. Furthermore, Tilton does not perform an analysis on a first portfolio that is aggregate of loan asset information for which contract has been completed and that are not securitized, and outputs a first analysis result, as recited in Claim 1 and similarly in Claims 13, 17, and 19. Indeed, Tilton is intended to monitor and manage distressed loans after the loans are approved, borrowed, and distressed.

According to the present application, for example, at page 17, line 20 to page 18, line 13, a first portfolio of residential mortgages is analyzed based on mortgage information obtained after a contract has been completed but not securitized. Next, based on information, such as current value information on a mortgage-based security, a second portfolio of residential mortgages is analyzed to provide the bases of residential mortgage-based securities having a relatively high current value. Tilton, on the other hand, does not use the current value information to analyze a second portfolio. Indeed, Tilton is more focused on how lenders can maximize their return on their distressed commercial credit facilities and how to develop a recovering strategy, rather

than examining loan assets information and financial product conditions and supporting repayment management.

Keyes simply relates to a prediction method that can be used for valuing a portfolio of non-performing loans. Although Keyes mentions a comparison of a “parent” node and a “child” node, there is no evidence showing such comparison results in a change of examination conditions.

Based on the above, as Tilton employs a different methodology in analyzing portfolios and Keyes only describes a prediction method, it would not have been obvious or appropriate for one skilled in the art to combine these references to achieve the subject matters of amended Claims 1, 13, 17, and 19. Accordingly, amended Claims 1, 13, 17, and 19 are allowable over the cited art.

For similar reasons above, Claims 2-12, 14-16, 18, and 20 that depend from amended Claims 1, 13, 17, and 20, respectively, are also allowable at least due to their dependencies from patentable independent claims.

Conclusion

For all of the above reasons, it is respectfully submitted that claims 1-20 are in condition for allowance and a Notice of Allowability is earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is invited to contact the undersigned representative at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to

charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300 referencing client matter number 108390-00050.

Respectfully submitted,

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